



INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA – UAW

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April 20, 2006

TO: Members of the House Local Government & Urban Policy Committee

FROM: Nadine Nosal, Legislative Coordinator, International Union, UAW

SUBJECT: Senate Bill No. 945 (S-3), Kent County Drain Commissioner

The International Union, UAW, represents approximately 430,000 active and retired members and their families who work in various jobs and professions in both the public and private sectors throughout Michigan.

The UAW and its members in Kent County oppose Senate Bill No. 945 because it takes away their right to elect their county drain commissioner and puts this most important decision in the hands of the Kent County Board of Commissioners. Electing this important county official is a right currently enjoyed by most citizens. Exceptions are only in counties in which this office has been abolished or combined as provided by law.

The duties of the drain commissioner include the maintenance of all legally established country drains, the management and financing of drain construction projects and the correction of the county's drainage and flooding issues. Additionally, the drain commissioner is responsible for apportioning assessments and accounting for collections and expenditures. These are all issues that are crucial to the health and well-being of Kent County citizens, as well as every Michigan citizen. Any job that comes with the authority to assess taxes and impact citizens' lives to the extent of this position ought to be answerable to the voters.

In the case of county drain commissioners, voters should get to choose their elected official every four years as current law now states. If they don't like the job their current drain commissioner is doing or feel that person is not qualified they can vote in someone else. There should be no legislation, such as Senate Bill No. 945, that takes these rights away from the citizens of Kent County, and

turns them over to the county board of commissioners in the form of an option to choose between an elected or an appointed drain commissioner. This is a terrible precedent to be setting.

There should be good reasons to change from having an elected government position to having one that is appointed, and stripping this right from voters to place it in the auspices of a partisan board such as the county board of commissioners. Kent County's situation does not qualify as such. Their currently appointed County Drain Commissioner, Douglas Sporte, does not want to run for public office. That is his decision and it should be honored, not be the basis for changing state laws or taking away voting rights of citizens.

It is for these reasons that UAW and its members in Kent County oppose this bill and ask you to vote "no" on Senate Bill No. 945.

Thank you.

Attachments
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**THE GRAND RAPIDS
PRESS****Election law down the drain**

Tuesday, April 11, 2006

State law requires county drain commissioners to be elected every four years. Anyone tapped to fill a vacancy serves until the next countywide election. Kent County wants to change the rules. The County Board of Commissioners is pushing special legislation that would allow Kent to appoint its drain commissioner rather than let voters make that decision. If the Legislature doesn't sink this bill, the governor should.

The board's reasons for seeking the change are weak at best. The members want to avoid a drain commissioner election this year because they don't want to risk losing interim drain commissioner Douglas Sporte. Mr. Sporte was appointed last May to fill the vacancy left by the death of Roger Laninga, who had held the office since 1992. Mr. Sporte says he's not a politician and won't run for the office next fall. He's content to return to his deputy drain commissioner post.

A good case probably could be made for making drain commissioner an appointed post but not for the reasons Kent County is citing. The job should be held by someone with engineering expertise and other skills associated with drainage and flooding. In elections, the best qualified person for the job doesn't always win. Counties can (and several decades ago, Kent did) end up with a drain commissioner without the skills to do the job.

But that's how the democratic process works. Voters get to choose their elected officials. If they don't like the job they are doing, they can vote in a change. There also is no guarantee that the County Board would appoint the most qualified candidates and not pass the job to political pals. Besides, any job that comes with the authority to assess taxes ought to be answerable to taxpayers. Drain commissioners can assess taxes for drain improvements.

If lawmakers are serious about making significant reforms in county drain commis-

sioner policy, they should start by setting job requirements for the little-known but powerful position. That way, whether elected or appointed, drain commissioners statewide would have the necessary skills.

Kent County commissioners should encourage Mr. Sporte to run for the job if they want him to keep the position. As an incumbent and a Republican, he would be the odds-on favorite to win. If Mr. Sporte doesn't want to do what's required to stay in office, that's his choice. No special laws should be enacted to keep him in office and exclude voters from the process. Certainly there should be no legislation that gives the county the option of alternating between an elected and an appointed drain commissioner. That option is a ridiculous component of the bill approved by the Senate last month and sent to the House.

Sen. Bill Hardiman, R-Kentwood, co-sponsored the legislation, which was supported by West Michigan's Senate contingent. Lawmakers in the House, especially Kent County's representatives — Jerry O. Kooiman, R-Grand Rapids; Michael Sak, D-Grand Rapids; Thomas Pearce, R-Cannon Township; Kevin Green, R-Wyoming; David Hildenbrand, R-Lowell; and Glenn Steil Jr., R-Cascade Township — should put the brakes on this legislation.

Mr. Sporte, who spent 25 years as a civil engineer with the City of Kentwood, has been in the county drain commissioner's office for six years. He is qualified for the head job and has impressed county commissioners. But surely he is not the only person in Kent County capable of handling the office.

There should be good reasons to change an elected government position to an appointed one. Kent County's situation doesn't measure up.

THE GRAND RAPIDS
PRESS

Letters for April 18

Tuesday, April 18, 2006

No appointed drain commissioner

The position of drain commissioner in state statute is significant. This position may at times seem obscure, but having the elected drain commissioner solve a property owner's drainage issue is almost a heroic act.

Kudos to both state Representative Michael Sak and to The Grand Rapids Press for their open opposition to our county commissioners taking away our right to vote for the drain commissioner. As stated by The Press ("Election law down the drain," editorial, April 11): "Kent County's attempt to change rules on office of drain commissioner cuts out voters." This statement cannot be underscored enough.

From observed county commission discussions, the reason for making this an appointed position as opposed to elected is to keep their recent appointment of Mr. Spote.

His recent temporary appointment may indeed be a good decision as he had proven himself worthy of being deputy director. The recent actions of the county board proposing this position be appointed is bizarre. It appears Mr. Spote is interested in the position of drain commissioner only if he does not have to earn it through the elective process.

If Mr. Spote does not want to play the game of running for office, so be it. There are a number of good civil engineers who reside in Kent County who could do an excellent job. Taking the voters rights away for the sake of one person is nuts. Shame on our state legislature for even entertaining this notion by the county.

Actions of our county officials must be considered a "slam" to us voters as we must be too stupid to make good decisions in the voting booth.

If the county has the least little respect for the voters, the least they could do is make this proposed change a ballot issue at the next election.

• STAN MILANOWSKI

Comptroller

City of Grand Rapids

Grand Rapids